



STATE OF MICHIGAN  
TERRI LYNN LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**M E M O R A N D U M**

**DATE:** June 17, 2004  
**TO:** Independent, Political and Caucus Committees  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** **REPORTS REQUIRED FOR SPECIAL ELECTION IN 17<sup>th</sup> STATE HOUSE DISTRICT**

**CAREFULLY READ THIS MEMO TO DETERMINE IF THE DESCRIBED FILINGS ARE REQUIRED OF YOUR COMMITTEE.**

**THE REPORTS ARE REQUIRED OF INDEPENDENT, POLITICAL AND CAUCUS COMMITTEES REGISTERED ON THE STATE LEVEL THAT PARTICIPATE IN THE AUGUST 3<sup>RD</sup> SPECIAL PRIMARY AND NOVEMBER 2<sup>ND</sup> SPECIAL ELECTION SCHEDULED IN THE 17<sup>TH</sup> STATE HOUSE DISTRICT.**

**I. SPECIAL ELECTION INDEPENDENT EXPENDITURE REPORT**

An Independent or Political Committee registered on the state level that makes an independent expenditure from June 19, 2004 through August 3, 2004 to support or oppose a candidate participating in the August 3, 2004 special primary or from September 18, 2004 through November 2, 2004 to support or oppose a candidate participating in the November 2, 2004 special election schedule in the 17<sup>th</sup> State House District is required to file a "Special Election Independent Expenditure Report." The report must be filed with the Department of State's Bureau of Elections within 48 hours after the independent expenditure is made. Independent expenditures are expenditures made on behalf of the candidate which are not made under the control or with the consent of the candidate's Candidate Committee.

- Special Election Independent Expenditure Reports are not waived by a Reporting Waiver.
- A Special Election Independent Expenditure Report is made by attaching an Itemized Independent Expenditures Schedule (2B-1) to a Campaign Statement Cover Page, entering the appropriate information and submitting the forms within the 48-hour period explained above. The Cover Page must list the committee's name and identification number and be signed by the committee's treasurer or designated recordkeeper. The Itemized Independent Expenditures Schedule must list the date and the amount of the independent expenditure; the name of the candidate and the office he or she seeks; the name and address of the person to whom the independent expenditure was paid; and a description of the independent expenditure which specifies whether the independent expenditure was made to support or oppose the candidate involved. The Summary Page is not completed.

- An Independent Expenditure which is reported in the above manner must be listed on the committee's next required Campaign Statement.
- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the report remains unfiled up to \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum fee which can be assessed is increased to \$1,000.00. The late filing fee will be assessed as follows:
  - (a) \$25.00 for each business day the report remains unfiled.
  - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.
  - (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

## **II. LATE CONTRIBUTION REPORTS**

An Independent or Political Committee registered on the state level must report all "late contributions." A late contribution is any single contribution of \$200.00 or more received by the committee between the 15<sup>th</sup> and 3<sup>rd</sup> day before the date of any "election" in which the committee participates. The term "election" is used to mean a primary, general, special, recall or millage election held in Michigan or a convention or caucus held by a political party in Michigan to nominate candidates.

An Independent or Political Committee registered on the state level that participates in the August 3, 2004 special primary scheduled to nominate candidates for the vacancy in the 17<sup>th</sup> State House District is required to file a "Late Contribution Report" if the committee receives a contribution of \$200.00 or more from July 19 through July 31, 2004.

An Independent or Political Committee registered on the state level that participates in the November 2, 2004 special election scheduled to fill the vacancy in the 17<sup>th</sup> State House District is required to file a "Late Contribution Report" if the committee receives a contribution of \$200.00 or more from October 18 through October 30, 2004.

- A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. The report may be made in a telegram or by any other means of written communication. A Late Contribution Report need not contain an original signature. In addition to this report, the late contribution must be disclosed on the next Campaign Statement filed by the committee.
- Late Contribution Reports are not waived by a Reporting Waiver. However, committees with a Reporting Waiver are not required to show late contributions on a Campaign Statement.
- A late filing fee will be assessed each business day a required report is late up to \$2,000.00. The late filing fee will be assessed as follows:
  - (a) \$25.00 for each business day the report remains unfiled.

(b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.

(c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

## **24-HOUR REPORTS (FILED BY CAUCUS COMMITTEES ONLY)**

Caucus Committees are required to file daily reports, from the 14<sup>th</sup> day preceding a primary, general or special election to the day after the primary, general or special election, if the committee receives a contribution or makes an expenditure of more than \$1,000.00. Similar to a "Late Contribution Report," a 24-Hour Report must fully disclose the contribution or expenditure, may be made in telegram or by any other means of written communication, and need not contain an original signature.

- A 24-Hour Report is due no later than 4:00 p.m. on the first business day following the date the contribution in excess of \$1,000.00 is received or the expenditure in excess of \$1,000.00 is made. The 24-Hour Report closes on the day the contribution is received or the expenditure is made.
- A Caucus Committee that participates in the August 3, 2004 special primary scheduled to nominate candidates for the vacancy in the 17<sup>th</sup> State House District is required to file a 24-Hour Report if the committee receives a contribution or makes an expenditure of more than \$1,000.00 from July 20 through August 4, 2004.
- A Caucus Committee that participates in the November 2, 2004 special election scheduled to fill the vacancy in the 17<sup>th</sup> State House District is required to file a 24-Hour Report if the committee receives a contribution or makes an expenditure of more than \$1,000.00 from October 19, 2004 through November 3, 2004.
- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed for each business day the report remains unfiled up to \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum late filing fee which can be assessed is increased to \$1,000.00. The late filing fee will be assessed as follows:
  - (a) \$25.00 for each business day the report remains unfiled.
  - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.
  - (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

## **LATE CONTRIBUTION FORM**

A form for filing a Late Contribution Report is available on our web site: [www.michigan.gov/sos](http://www.michigan.gov/sos). This form may be sent via e-mail or as an attachment to: [lcr@michigan.gov](mailto:lcr@michigan.gov).

## **Questions?**

If you have any questions, please do not hesitate to contact this office.

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